

or claim to contain bear viscera, and for other purposes.

S. 971

At the request of Mr. COATS, the name of the Senator from Oklahoma [Mr. NICKLES] was added as a cosponsor of S. 971, a bill to amend the Public Health Service Act to prohibit governmental discrimination in the training and licensing of health professionals on the basis of the refusal to undergo or provide training in the performance of induced abortions, and for other purposes.

S. 986

At the request of Mr. D'AMATO, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 986, a bill to amend the Internal Revenue Code of 1986 to provide that the Federal income tax shall not apply to U.S. citizens who are killed in terroristic actions directed at the United States or to parents of children who are killed in those terroristic actions.

S. 1000

At the request of Mr. BURNS, the names of the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Idaho [Mr. CRAIG], and the Senator from Mississippi [Mr. LOTT] were added as cosponsors of S. 1000, a bill to amend the Internal Revenue Code of 1986 to provide that the depreciation rules which apply for regular tax purposes shall also apply for alternative minimum tax purposes, to allow a portion of the tentative minimum tax to be offset by the minimum tax credit, and for other purposes.

S. 1004

At the request of Mr. STEVENS, the name of the Senator from Louisiana [Mr. BREAUX] was added as a cosponsor of S. 1004, a bill to authorize appropriations for the U.S. Coast Guard, and for other purposes.

S. 1028

At the request of Mrs. KASSEBAUM, the names of the Senator from Ohio [Mr. GLENN] and the Senator from North Dakota [Mr. DORGAN] were added as cosponsors of S. 1028, a bill to provide increased access to health care benefits, to provide increased portability of health care benefits, to provide increased security of health care benefits, to increase the purchasing power of individuals and small employers, and for other purposes.

S. 1045

At the request of Mr. ABRAHAM, the name of the Senator from Ohio [Mr. DEWINE] was added as a cosponsor of S. 1045, a bill to amend the National Foundation on the Arts and the Humanities Act of 1965, the Museum Services Act, and the Arts and Artifacts Indemnity Act to privatize the National Foundation on the Arts and the Humanities and to transfer certain related functions, and for other purposes.

S. 1097

At the request of Mr. HATFIELD, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S.

1097, a bill to designate the Federal building located at 1550 Dewey Avenue, Baker City, OR, as the "David J. Wheeler Federal Building," and for other purposes.

#### SENATE RESOLUTION 146

At the request of Mr. JOHNSTON, the names of the Senator from Indiana [Mr. COATS] and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of Senate Resolution 146, a resolution designating the week beginning November 19, 1995, and the week beginning on November 24, 1996, as "National Family Week," and for other purposes.

#### SENATE RESOLUTION 147

At the request of Mr. THURMOND, the names of the Senator from North Dakota [Mr. CONRAD], the Senator from Mississippi [Mr. LOTT], and the Senator from Virginia [Mr. WARNER] were added as cosponsors of Senate Resolution 147, a resolution designating the weeks beginning September 24, 1995, and September 22, 1996, as "National Historically Black Colleges and Universities Week," and for other purposes.

### AMENDMENTS SUBMITTED

#### THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

##### DORGAN (AND OTHERS) AMENDMENT NO. 2087

Mr. DORGAN (for himself, Mr. BRADLEY, Mr. LEAHY, Mr. BINGAMAN, Mr. FEINGOLD, Mr. BUMPERS, Mr. WELLSTONE, Mr. EXON, Mr. HARKIN, Mr. GLENN, Mrs. BOXER, Mr. JOHNSTON, and Mr. CONRAD) proposed an amendment to the bill (S. 1026) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 32, strike out line 14 and insert in lieu thereof the following: "\$9,233,148,000, of which—

“(A) not more than \$357,900,000 is authorized to implement the national missile defense policy established in Section 233(2);”.

##### LEVIN (AND OTHERS) AMENDMENT NO. 2088

Mr. LEVIN (for himself, Mr. EXON, Mr. BINGAMAN, Mr. GLENN, Mr. BRADLEY, Mr. KENNEDY, Mr. FEINGOLD, Mr. DORGAN, Mr. WELLSTONE, Mr. BIDEN, Mr. MOYNIHAN, Mr. HARKIN, Mr. JEFFORDS, Mr. KERREY, Mr. NUNN, Mr. DASCHLE, Mr. KERRY, Mr. LAUTENBERG, and Mr. PELL) proposed an amendment to the bill S. 1026, supra; as follows:

On page 52, strike out lines 20 through 25. On page 62, strike out lines 8 through 11.

Beginning on page 63, strike out line 11 and all that follows through page 65, line 24.

#### COHEN AMENDMENT NO. 2089

Mr. COHEN proposed an amendment to the bill S. 1026, supra; as follows:

At the appropriate place in the bill insert the following:

(a) FINDINGS.—Congress makes the following findings:

(1) The proliferation of weapons of mass destruction and ballistic missiles of all ranges is a global problem that is becoming increasingly threatening to the United States, its troops and citizens abroad, and its allies.

(2) Articles XIII of the ABM Treaty envisions “possible changes in the strategic situation which have a bearing on the provisions of this Treaty”.

(3) Articles XIII and XIV of the ABM Treaty establish means for the Parties to amend the Treaty, and the Parties have employed these means to amend the Treaty.

(4) Article X V of the ABM Treaty establishes means for a party to withdraw from the Treaty, upon 6 months notice, “if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests.”.

(b) SENSE OF CONGRESS.—Given the fundamental responsibility of the Government of the United States to protect the security of the United States, the increasingly serious threat posed to the United States by the proliferation of weapons of mass destruction and ballistic missile technology, and the effect this threat could have in constraining the options of the United States to act in time of crisis, it is the sense of Congress that—

(1) it is in the supreme interest of the United States to defend itself from the threat of limited ballistic missile attack, whatever its source;

(2) the deployment of a multiple site ground-based national missile defense system to protect against limited ballistic missile attack can strengthen strategic stability and deterrence;

(3) the policies, programs, and requirements of subtitle C of title II of this Act can be accomplished through processes specified within, or consistent with, the ABM Treaty, which anticipates the need and provides the means for amendment to the Treasury;

(4) the President is urged to initiate negotiations with the Russian Federation to amend the ABM Treaty as necessary to provide for the national missile defense systems specified in section 235 to protect the United States from limited ballistic missile attack; and

(5) if these negotiations fail, the President is urged to consult with the Senate about the option of withdrawing the United States from the ABM Treaty in accordance with the provisions of Article XV of the Treaty.

##### MCCAIN (AND OTHERS) AMENDMENT NO. 2090

Mr. MCCAIN (for himself, Mr. ROTH, Mr. FEINGOLD, and Mr. GRAMS) proposed an amendment to the bill S. 1026, supra; as follows:

On page 30, after the matter following line 24, insert the following:

##### SEC. 125. SSN-23 SEAWOLF CLASS ATTACK SUBMARINE.

(a) DELETION OF FUNDING.—Notwithstanding any other provision of this Act, the total amount of the funds authorized under section 120(a)(3) for the Navy for fiscal year 1996 for shipbuilding and conversion is reduced by \$1,507,477,000.

(b) PROHIBITION.—(1) Notwithstanding any other provision of this Act, funds available for the Department of Defense for fiscal year 1996 and, except as provided in paragraph

(2)(B), funds available for the Department of Defense for any preceding fiscal year may not be obligated or expended for procurement of a third SSN-21 Seawolf class attack submarine or for advance procurement for such submarines.

(2)(A) Funds available for the Department of Defense for fiscal year 1996 may not be used for paying costs incurred for termination of any contract for procurement of a third SSN-21 Seawolf class attack submarine, including any contract for advance procurement for such submarine.

(B) Only the funds available for the Department of Defense for fiscal years before fiscal year 1996 for procurement of an SSN-23 Seawolf attack submarine may, to the extent provided in appropriations Acts, be used for paying costs described in subparagraph (A).

#### MCCAIN AMENDMENT NO. 2091

Mr. MCCAIN proposed an amendment to the bill S. 1026, *supra*; as follows:

On page 30, after the matter following line 24, insert the following:

#### SEC. 125. SEAWOLF SUBMARINE PROGRAM.

(a) LIMITATION OF COSTS.—Except as provided in subsection (b), the total amount obligated or expended for procurement of the SSN-21, SSN-22, and SSN-23 Seawolf class submarines may not exceed \$7,187,800,000.

(b) AUTOMATIC INCREASE OF LIMITATION AMOUNT.—The amount of the limitation set forth in subsection (a) is increased after fiscal year 1995 by the following amounts:

(1) The amounts of outfitting costs and postdelivery costs incurred for the submarines referred to in such subsection.

(2) The amounts of increases in costs attributable to economic inflation after fiscal year 1995.

(3) The amounts of increases in costs attributable to compliance with changes in Federal, State, or local laws enacted after fiscal year 1995.

#### DODD AMENDMENT NO. 2092

Mr. DODD proposed an amendment to amendment No. 2091 proposed by Mr. MCCAIN to the bill S. 1026, *supra*; as follows:

On page 1, line 7, strike out “\$7,187,800,000” and insert in lieu thereof “\$7,223,659,000”.

#### FAIRCLOTH AMENDMENT NO. 2093

(Ordered to lie on the table.)

Mr. FAIRCLOTH submitted an amendment intended to be proposed by him to the bill S. 1026, *supra*; as follows:

Beginning on page 110 strike line 20 and all that follows through page 114, line 6.

#### BUMPERS (AND OTHERS) AMENDMENT NO. 2094

Mr. BUMPERS (for himself, Mr. FEINGOLD, Mr. SIMON, Mrs. BOXER, Mr. HATFIELD, and Mr. DORGAN) proposed an amendment to the bill S. 1026, *supra*; as follows:

Strike line 1 on page 353 through line 16 on page 357.

#### CHAFEE (AND WARNER) AMENDMENT NO. 2095

Mr. WARNER (for Mr. CHAFEE, for himself and Mr. WARNER) proposed an amendment to the bill S. 1026, *supra*; as follows:

Beginning on page 78, strike line 21 and all that follows through page 87, line 20, and insert the following:

#### SEC. 322. DISCHARGES FROM VESSELS OF THE ARMED FORCES.

(a) PURPOSES.—The purposes of this section are to—

(1) enhance the operational flexibility of vessels of the Armed Forces domestically and internationally;

(2) stimulate the development of innovative vessel pollution control technology; and

(3) advance the development by the United States Navy of environmentally sound ships.

(b) UNIFORM NATIONAL DISCHARGE STANDARDS DEVELOPMENT.—Section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322) is amended by adding at the end the following:

“(n) UNIFORM NATIONAL DISCHARGE STANDARDS FOR VESSELS OF THE ARMED FORCES.—

“(1) APPLICABILITY.—This subsection shall apply to vessels of the Armed Forces and discharges, other than sewage, incidental to the normal operation of a vessel of the Armed Forces, unless the Secretary of Defense finds that compliance with this subsection would not be in the national security interests of the United States.

“(2) DETERMINATION OF DISCHARGES REQUIRED TO BE CONTROLLED BY MARINE POLLUTION CONTROL DEVICES.—

“(A) IN GENERAL.—The Administrator and the Secretary of Defense, after consultation with the Secretary of the department in which the Coast Guard is operating, the Secretary of Commerce, and interested States, shall jointly determine the discharges incidental to the normal operation of a vessel of the Armed Forces for which it is reasonable and practicable to require use of a marine pollution control device to mitigate adverse impacts on the marine environment. Notwithstanding subsection (a)(1) of section 553 of title 5, United States Code, the Administrator and the Secretary of Defense shall promulgate the determinations in accordance with the section.

“(B) CONSIDERATIONS.—In making a determination under subparagraph (A), the Administrator and the Secretary of Defense shall take into consideration—

“(i) the nature of the discharge;

“(ii) the environmental effects of the discharge;

“(iii) the practicability of using the marine pollution control device;

“(iv) the effect that installation or use of the marine pollution control device would have on the operation or operational capability of the vessel;

“(v) applicable United States law;

“(vi) applicable international standards; and

“(vii) the economic costs of the installation and use of the marine pollution control device.

“(3) PERFORMANCE STANDARDS FOR MARINE POLLUTION CONTROL DEVICES.—

“(A) IN GENERAL.—For each discharge for which a marine pollution control device is determined to be required under paragraph (2), the Administrator and the Secretary of Defense, in consultation with the Secretary of the department in which the Coast Guard is operating, the Secretary of State, the Secretary of Commerce, other interested Federal agencies, and interested States, shall jointly promulgate Federal standards of performance for each marine pollution control device required with respect to the discharge. Notwithstanding subsection (a)(1) of section 553 of title 5, United States Code, the Administrator and the Secretary of Defense shall promulgate the standards in accordance with the section.

“(B) CONSIDERATIONS.—In promulgating standards under this paragraph, the Admin-

istrator and the Secretary of Defense shall take into consideration the matters set forth in paragraph (2)(B).

“(C) CLASSES, TYPES, AND SIZES OF VESSELS.—The standards promulgated under this paragraph may—

“(i) distinguish among classes, types, and sizes of vessels;

“(ii) distinguish between new and existing vessels; and

“(iii) provide for a waiver of the applicability of the standards as necessary or appropriate to a particular class, type, age, or size of vessel.

“(4) REGULATIONS FOR USE OF MARINE POLLUTION CONTROL DEVICES.—The Secretary of Defense, after consultation with the Administrator and the Secretary of the department in which the Coast Guard is operating, shall promulgate such regulations governing the design, construction, installation, and use of marine pollution control devices on board vessels of the Armed Forces as are necessary to achieve the standards promulgated under paragraph (3).

“(5) DEADLINES; EFFECTIVE DATE.—

“(A) DETERMINATIONS.—The Administrator and the Secretary of Defense shall—

“(i) make the initial determinations under paragraph (2) not later than 2 years after the date of enactment of this subsection; and

“(ii) every 5 years—

“(I) review the determinations; and

“(II) if necessary, revise the determinations based on significant new information.

“(B) STANDARDS.—The Administrator and the Secretary of Defense shall—

“(i) promulgate standards of performance for a marine pollution control device under paragraph (3) not later than 2 years after the date of a determination under paragraph (2) that the marine pollution control device is required; and

“(ii) every 5 years—

“(I) review the standards; and

“(II) if necessary, revise the standards, consistent with paragraph (3)(B) and based on significant new information.

“(C) REGULATIONS.—The Secretary of Defense shall promulgate regulations with respect to a marine pollution control device under paragraph (4) as soon as practicable after the Administrator and the Secretary of Defense promulgate standards with respect to the device under paragraph (3), but not later than 1 year after the Administrator and the Secretary of Defense promulgate the standards. The regulations promulgated by the Secretary of Defense under paragraph (4) shall become effective upon promulgation unless another effective date is specified in the regulations.

“(D) PETITION FOR REVIEW.—The Governor of any State may submit a petition requesting that the Secretary of Defense and the Administrator review a determination under paragraph (2) or a standard under paragraph (3), if there is significant new information, not considered previously, that could reasonably result in a change to the particular determination or standard after consideration of the matters set forth in paragraph (2)(B). The petition shall be accompanied by the scientific and technical information on which the petition is based. The Administrator and the Secretary of Defense shall grant or deny the petition not later than 2 years after the date of receipt of the petition.

“(6) EFFECT ON OTHER LAWS.—

“(A) PROHIBITION ON REGULATION BY STATES OR POLITICAL SUBDIVISIONS OF STATES.—Beginning on the effective date of—

“(i) a determination under paragraph (2) that it is not reasonable and practicable to

require use of a marine pollution control device regarding a particular discharge incidental to the normal operation of a vessel of the Armed Forces; or

“(ii) regulations promulgated by the Secretary of Defense under paragraph (4); except as provided in paragraph (7), neither a State nor a political subdivision of a State may adopt or enforce any statute or regulation of the State or political subdivision with respect to the discharge or the design, construction, installation, or use of any marine pollution control device required to control the discharge.

“(B) FEDERAL LAWS.—This subsection shall not affect the application of section 311 to discharges incidental to the normal operation of a vessel.

“(7) ESTABLISHMENT OF STATE NO-DISCHARGE ZONES.—

“(A) STATE PROHIBITION.—

“(i) IN GENERAL.—After the effective date of—

“(I) a determination under paragraph (2) that it is not reasonable and practicable to require use of a marine pollution control device regarding a particular discharge incidental to the normal operation of a vessel of the Armed Forces; or

“(II) regulations promulgated by the Secretary of Defense under paragraph (4);

if a State determines that the protection and enhancement of the quality of some or all of the waters within the State require greater environmental protection, the State may prohibit 1 or more discharges incidental to the normal operation of a vessel, whether treated or not treated, into the waters. No prohibition shall apply until the Administrator makes the determinations described in subclauses (II) and (III) of subparagraph (B)(i).

“(ii) DOCUMENTATION.—To the extent that a prohibition under this paragraph would apply to vessels of the Armed Forces and not to other types of vessels, the State shall document the technical or environmental basis for the distinction.

“(B) PROHIBITION BY THE ADMINISTRATOR.—

“(i) IN GENERAL.—Upon application of a State, the Administrator shall by regulation prohibit the discharge from a vessel of 1 or more discharges incidental to the normal operation of a vessel, whether treated or not treated, into the waters covered by the application if the Administrator determines that—

“(I) the protection and enhancement of the quality of the specified waters within the State require a prohibition of the discharge into the waters;

“(II) adequate facilities for the safe and sanitary removal of the discharge incidental to the normal operation of a vessel are reasonably available for the waters to which the prohibition would apply; and

“(III) the prohibition will not have the effect of discriminating against a vessel of the Armed Forces by reason of the ownership or operation by the Federal Government, or the military function, of the vessel.

“(ii) APPROVAL OR DISAPPROVAL.—The Administrator shall approve or disapprove an application submitted under clause (i) not later than 90 days after the date on which the application is submitted to the Administrator. Notwithstanding clause (i)(II), the Administrator shall not disapprove an application for the sole reason that there are not adequate facilities to remove any discharge incidental to the normal operation of a vessel from vessels of the Armed Forces.

“(C) APPLICABILITY TO FOREIGN FLAGGED VESSELS.—A prohibition under this paragraph—

“(i) shall not impose any design, construction, manning, or equipment standard on a

foreign flagged vessel engaged in innocent passage unless the prohibition implements a generally accepted international rule or standard; and

“(ii) that relates to the prevention, reduction, and control of pollution shall not apply to a foreign flagged vessel engaged in transit passage unless the prohibition implements an applicable international regulation regarding the discharge of oil, oily waste, or any other noxious substance into the waters.

“(8) PROHIBITION RELATING TO VESSELS OF THE ARMED FORCES.—After the effective date of the regulations promulgated by the Secretary of Defense under paragraph (4), it shall be unlawful for any vessel of the Armed Forces subject to the regulations to—

“(A) operate in the navigable waters of the United States or the waters of the contiguous zone, if the vessel is not equipped with any required marine pollution control device meeting standards established under this subsection; or

“(B) discharge overboard any discharge incidental to the normal operation of a vessel in waters with respect to which a prohibition on the discharge has been established under paragraph (7).

“(9) ENFORCEMENT.—This subsection shall be enforceable, as provided in subsections (j) and (k), against any agency of the United States responsible for vessels of the Armed Forces notwithstanding any immunity asserted by the agency.”

(c) CONFORMING AMENDMENTS.—

(1) DEFINITIONS.—Section 312(a) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)) is amended—

(A) in paragraph (8)—

(i) by striking “or”; and

(ii) by inserting “or agency of the United States” after “association.”;

(B) in paragraph (11), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(12) ‘discharge incidental to the normal operation of a vessel’—

“(A) means a discharge, including—

“(i) graywater, bilge water, cooling water, weather deck runoff, ballast water, oil water separator effluent, and any other pollutant discharge from the operation of a marine propulsion system, shipboard maneuvering system, crew habitability system, or installed major equipment, such as an aircraft carrier elevator or a catapult, or from a protective, preservative, or absorptive application to the hull of the vessel; and

“(ii) a discharge in connection with the testing, maintenance, and repair of a system described in clause (i) whenever the vessel is waterborne; and

“(B) does not include—

“(i) a discharge of rubbish, trash, garbage, or other such material discharged overboard;

“(ii) an air emission resulting from the operation of a vessel propulsion system, motor driven equipment, or incinerator; or

“(iii) a discharge that is not covered by part 122.3 of title 40, Code of Federal Regulations (as in effect on the date of enactment of subsection (n));

“(13) ‘marine pollution control device’ means any equipment or management practice, for installation or use on board a vessel of the Armed Forces, that is—

“(A) designed to receive, retain, treat, control, or discharge a discharge incidental to the normal operation of a vessel; and

“(B) determined by the Administrator and the Secretary of Defense to be the most effective equipment or management practice to reduce the environmental impacts of the discharge consistent with the considerations set forth in subsection (n)(2)(B); and

“(14) ‘vessel of the Armed Forces’ means—

“(A) any vessel owned or operated by the Department of Defense, other than a time or voyage chartered vessel; and

“(B) any vessel owned or operated by the Department of Transportation that is designated by the Secretary of the department in which the Coast Guard is operating as a vessel equivalent to a vessel described in subparagraph (A).”

(2) ENFORCEMENT.—The first sentence of section 312(j) of the Federal Water Pollution Control Act (33 U.S.C. 1322(j)) is amended—

(A) by striking “of this section or” and inserting a comma; and

(B) by striking “of this section shall” and inserting “, or subsection (n)(8) shall”.

(3) OTHER DEFINITIONS.—Subparagraph (A) of the second sentence of section 502(6) of the Federal Water Pollution Control Act (33 U.S.C. 1362(6)) is amended by striking “sewage from vessels” and inserting “sewage from vessels or a discharge incidental to the normal operation of a vessel of the Armed Forces”.

(d) COOPERATION IN STANDARDS DEVELOPMENT.—The Administrator of the Environmental Protection Agency and the Secretary of Defense may, by mutual agreement, with or without reimbursement, provide for the use of information, reports, personnel, or other resources of the Environmental Protection Agency or the Department of Defense to carry out section 312(n) of the Federal Water Pollution Control Act (as added by subsection (b)), including the use of the resources to—

(1) determine—

(A) the nature and environmental effect of discharges incidental to the normal operation of a vessel of the Armed Forces;

(B) the practicability of using marine pollution control devices on vessels of the Armed Forces; and

(C) the effect that installation or use of marine pollution control devices on vessels of the Armed Forces would have on the operation or operational capability of the vessels; and

(2) establish performance standards for marine pollution control devices on vessels of the Armed Forces.

#### PRYOR (AND OTHERS) AMENDMENT NO. 2096

Mr. NUNN (for Mr. PRYOR for himself, Mrs. FEINSTEIN, and Mr. ROBB) proposed an amendment to the bill S. 1026, *supra*; as follows:

On page 137, after line 24, add the following:

#### SEC. 389. FUNDING FOR TROOPS TO TEACHERS PROGRAM AND TROOPS TO COPS PROGRAM.

(a) FUNDING.—Of the amount authorized to be appropriated under section 431—

(1), \$42,000,000 shall be available for the Troops-to-Teachers program; and

(2) \$10,000,000 shall be available for the Troops-to-Cops program.

(b) DEFINITION.—In this section:

(1) The term “Troops-to-Cops program” means the program of assistance to separated members and former members of the Armed Forces to obtain employment with law enforcement agencies established, or carried out, under section 1152 of title 10, United States Code.

(2) The term “Troops-to-Teachers program” means the program of assistance to separated members of the Armed Forces to obtain certification and employment as teachers or employment as teachers’ aides established under section 1151 of such title.

## DOLE AMENDMENT NO. 2097

Mr. WARNER (for Mr. DOLE) proposed an amendment to the bill S. 1026, supra; as follows:

On page 314, between lines 11 and 12, insert the following:

**SEC. 823. PRESERVATION OF AMMUNITION INDUSTRIAL BASE.**

(a) REVIEW OF AMMUNITION PROCUREMENT AND MANAGEMENT PROGRAMS.—(1) Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall commence a review of the ammunition procurement and management programs of the Department of Defense, including the planning for, budgeting for, administration, and carrying out of such programs.

(2) The review under paragraph (1) shall include an assessment of the following matters:

(A) The practicability and desirability of using centralized procurement practices to procure all ammunition required by the Armed Forces.

(B) The capability of the ammunition production facilities of the United States to meet the ammunition requirements of the Armed Forces.

(C) The practicability and desirability of privatizing such ammunition production facilities.

(D) The practicability and desirability of using integrated budget planning among the Armed Forces for the procurement of ammunition.

(E) The practicability and desirability of establishing an advocate within the Department of Defense for ammunition industrial base matters who shall be responsible for—

(i) establishing the quantity and price of ammunition procured by the Armed Forces; and

(ii) establishing and implementing policy to ensure the continuing viability of the ammunition industrial base in the United States.

## THURMOND AMENDMENT NO. 2098

Mr. WARNER (for Mr. THURMOND) proposed an amendment to the bill S. 1026, supra; as follows:

On page 328, line 19, strike out "1994" and insert in lieu thereof "1995".

On page 329, line 18, strike out "1993" and insert in lieu thereof "1995".

## AKAKA AMENDMENT NO. 2099

Mr. NUNN (for Mr. AKAKA) proposed an amendment to the bill S. 1026, supra; as follows:

Beginning on page 204, strike out line 8 and all that follows through page 206, line 4, and insert in lieu thereof the following:

**SEC. 543. MILITARY INTELLIGENCE PERSONNEL PREVENTED BY SECRECY FROM BEING CONSIDERED FOR DECORATIONS AND AWARDS.**

(a) WAIVER ON RESTRICTIONS OF AWARDS.—(1) Notwithstanding any other provision of law, the President, the Secretary of Defense, or the Secretary of the military department concerned may award a decoration to any person for an act, achievement, or service that the person performed in carrying out military intelligence duties during the period January 1, 1940, through December 31, 1990.

(2) Paragraph (1) applies to any decoration (including any device in lieu of a decoration) that, during or after the period described in paragraph (1) and before the date of the enactment of this Act, was authorized by law or under the regulations of the Department of Defense or the military department con-

cerned to be awarded to a person for an act, achievement, or service performed by that person while serving on active duty.

(b) REVIEW OF AWARD RECOMMENDATIONS.—(1) The Secretary of each military department shall review all recommendations for awards of decorations for acts, achievements, or service described in subsection (a)(1) that have been received by the Secretary during the period of the review.

(2) The Secretary shall begin the review within 30 days after the date of the enactment of this Act and shall complete the review within one year after such date.

(3) The Secretary may use the same process for carrying out the review as the Secretary uses for reviewing other recommendations for awarding decorations to members of the armed force or armed forces under the Secretary's jurisdiction for acts, achievements, or service.

(4) The Secretary may reject a recommendation if the Secretary determines that there is a justifiable basis for concluding that the recommendation is specious.

(5) The Secretary shall take reasonable actions to publicize widely the opportunity to recommend awards of decorations under this section.

(6)(A) Upon completing the review, the Secretary shall submit a report on the review to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives.

(B) The report shall contain the following information on each recommendation for an award reviewed:

(i) A summary of the recommendation.

(ii) The findings resulting from the review.

(iii) The final action taken on the recommendation.

(iv) Administrative or legislative recommendations to improve award procedures with respect to military intelligence personnel.

(c) DEFINITION.—In this section, the term "active duty" has the meaning given such term in section 101(d)(1) of title 10, United States Code.

## AKAKA AMENDMENT NO. 2100

Mr. NUNN (for Mr. AKAKA) proposed an amendment to the bill S. 1026, supra; as follows:

On page 206, between lines 4 and 5, insert the following:

**SEC. 544. REVIEW REGARDING AWARDS OF DISTINGUISHED-SERVICE CROSS TO ASIAN-AMERICANS AND PACIFIC ISLANDERS FOR CERTAIN WORLD WAR II SERVICE.**

(a) REVIEW REQUIRED.—The Secretary of the Army shall—

(1) review the records relating to the award of the Distinguished-Service Cross to Asian-Americans and Native American Pacific Islanders for service as members of the Army during World War II in order to determine whether the award should be upgraded to the Medal of Honor; and

(2) submit to the President a recommendation that the President award a Medal of Honor to each such person for whom the Secretary determines an upgrade to be appropriate.

(b) WAIVER OF TIME LIMITATIONS.—The President is authorized to award a Medal of Honor to any person referred to in subsection (a) in accordance with a recommendation of the Secretary of the Army submitted under that subsection. The following restrictions do not apply in the case of any such person:

(1) Sections 8744 and 8744 of title 10, United States Code.

(2) Any regulation or other administrative restriction on—

(A) the time for awarding a Medal of Honor; or

(B) the awarding of a Medal of Honor for service for which a Distinguished-Service Cross has been awarded.

(c) DEFINITIONS.—In this section:

(1) The term "Native American Pacific Islander" means a Native Hawaiian and any other Native American Pacific Islander within the meaning of the Native American Programs Act of 1974 (42 U.S.C. 2991 et seq.).

(2) The term "World War II" has the meaning given that term in section 101(8) of title 38, United States Code.

## COATS AMENDMENT NO. 2101

Mr. WARNER (for Mr. COATS) proposed an amendment to the bill S. 1026, supra; as follows:

Beginning on page 290, strike out line 12 and all that follows through page 291, line 14, and insert in lieu thereof the following:

**SEC. 723. APPLICABILITY OF CHAMPUS PAYMENT RULES IN CERTAIN CASES**

Section 1074 of title 10, United States Code, is amended by adding at the end the following:

"(d)(1) The Secretary of Defense, after consultation with the other administering Secretaries, may by regulation require a private CHAMPUS provider to apply the CHAMPUS payment rules (subject to any modifications considered appropriate by the Secretary) in imposing charges for health care that the provider provides outside the catchment area of a Uniformed Services Treatment Facility to a member of the uniformed services who is enrolled in a health care plan of the Uniformed Services Treatment Facility.

"(2) In this subsection:

"(A) The term 'private CHAMPUS provider' means a private facility or health care provider that is a health care provider under the Civilian Health and Medical Program of the Uniformed Services.

"(B) The term 'CHAMPUS payment rules' means the payment rules referred to in subsection (c).

"(C) The term 'Uniformed Services Treatment Facility' means a facility deemed to be a facility of the uniformed services under section 911(a) of the Military Construction Authorization Act, 1982 (42 U.S.C. 248c(a))."

## COATS AMENDMENT NO. 2102

Mr. WARNER (for Mr. COATS) proposed an amendment to the bill S. 1026, supra; as follows:

On page 285, line 14, strike out "January 1, 1995" and insert in lieu thereof "October 1, 1995".

## NICKLES (AND INHOFE) AMENDMENT NO. 2103

Mr. WARNER (for Mr. NICKLES, for himself and Mr. INHOFE) proposed an amendment to the bill S. 1026, supra; as follows:

On page 76, insert the following after line 4:

"(f) REVIEW BY THE GENERAL ACCOUNTING OFFICE.—(1) The Secretary shall make available to the Comptroller General of the United States all information used by the Department in developing the policy under subsections (a) through (d) of this section.

"(2) Not later than 45 days after the Secretary submits to Congress the report required by subsection (a), the Comptroller General shall transmit to Congress a report containing a detailed analysis of the Secretary's proposed policy as reported under subsection (a)."

McCain (AND OTHERS)  
AMENDMENT NO. 2104

Mr. WARNER (for Mr. McCain, for himself, Mr. CAMPBELL, Mr. BROWN, and Mr. BINGAMAN) proposed an amendment to the bill S. 1026, *supra*; as follows:

On page 572, line 19, strike out "three months" and insert in lieu thereof "five months".

On page 573, line 11, strike out "fair market".

On page 574, beginning on line 9, strike out "In setting that price, the Secretary, in consultation with the Director, may consider" and insert in lieu thereof "The Secretary may not set the minimum acceptable price below".

On page 574, at the end of line 19, insert the following: "Notwithstanding section 7433(b) of this title, costs and fees of retaining the investment banker shall be paid out of the proceeds of the sale of the reserve.".

On page 574, line 22, insert "or contracts" after "contract".

On page 575, line 3, insert "or contracts" after "contract".

On page 575, line 11, insert "or contracts" after "contract".

On page 575, line 17, insert "or contracts" after "contract".

On page 576, line 11, by inserting "or purchasers (as the case may be)" after "purchaser".

On page 578, line 17, by inserting "or purchasers (as the case may be)" after "purchaser".

On page 579, line 4, strike out "a contract" and insert in lieu thereof "any contract".

On page 579, line 12, insert after "reserve" the following: "or any subcomponent thereof".

On page 579, line 16, insert "or parcel" after "reserve".

On page 584, strike out line 11, and insert in lieu thereof the following:

the committees.

"(m) OVERSIGHT.—The Comptroller General shall monitor the actions of the Secretary relating to the sale of the reserve and report to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives any findings on such actions that the Comptroller General considers appropriate to report to such committees.

"(n) ACQUISITION OF SERVICES.—The Secretary may enter into contracts for the acquisition of services required under this section under the authority of paragraph (7) of section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)), except that the notification required under subparagraph (B) of such paragraph for each contract shall be submitted to Congress not less than 7 days before the award of the contract.

"(o) RECONSIDERATION OF PROCESS OF SALE.—(1) If during the course of the sale of the reserve the Secretary of Energy and the Director of the Office of Management and Budget jointly determine that—

"(A) the sale is proceeding in a manner inconsistent with achievement of a sale price that reflects the full value of the reserve, or

"(B) a course of action other than the immediate sale of the reserve is in the best interests of the United States,

the Secretary shall submit a notification of the determination to the Committee on Armed Services of the Senate and the Committee on National Security and on Commerce of the House of Representatives.

"(2) After the Secretary submits a notification under paragraph (1), the Secretary may not complete the sale the reserve under this

section unless there is enacted a joint resolution—

"(A) that is introduced after the date on which the notification is received by the committees referred to in such paragraph;

"(B) that does not have a preamble;

"(C) the matter after the resolving clause of which reads only as follows: 'That the Secretary of Energy shall proceed with activities to sell Naval Petroleum Reserve Numbered 1 in accordance with section 7421a of title 10, United States Code, notwithstanding the determination set forth in the notification submitted to Congress by the Secretary of Energy on \_\_\_\_\_.' (the blank space being filled in with the appropriate date); and

"(D) the title of which is as follows: 'Joint resolution approving continuation of actions to sell Naval Petroleum Reserve Numbered 1'.

"(3) Subsection (k), except for paragraph (1) of such subsection, shall apply to the joint resolution described in paragraph (2).".

On page 584, strike out line 20 and all that follows through page 586, line 12, and insert in lieu thereof the following:

**SEC. 3302. FUTURE OF NAVAL PETROLEUM RESERVES (OTHER THAN NAVAL PETROLEUM RESERVE NUMBERED 1).**

(a) STUDY OF FUTURE OF PETROLEUM RESERVES.—(1) The Secretary of Energy shall conduct a study to determine which of the following options, or combination of options, would maximize the value of the naval petroleum reserves to or for the United States:

(A) Transfer of all or a part of the naval petroleum reserves to the jurisdiction of the Department of the Interior for leasing in accordance with the Mineral Leasing Act (30 U.S.C. 181 et seq.) and surface management in accordance with the Federal Land Policy and Management Act (43 U.S.C. 1701 et seq.).

(B) Lease of the naval petroleum reserves consistent with the provisions of such Acts.

(C) Sale of the interest of the United States in the naval petroleum reserves.

(2) The Secretary shall retain such independent consultants as the Secretary considers appropriate to conduct the study.

(3) An examination of the value to be derived by the United States from the transfer, lease, or sale of the naval petroleum reserves under paragraph (1) shall include an assessment and estimate, in a manner consistent with customary property valuation practices in the oil industry, of the fair market value of the interest of the United States in the naval petroleum reserves.

(4) Not later than December 31, 1995, the Secretary shall submit to Congress and make available to the public a report describing the results of the study and containing such recommendations as the Secretary considers appropriate to implement the option, or combination of options, identified in the study that would maximize the value of the naval petroleum reserves to or for the United States.

(b) IMPLEMENTATION OF RECOMMENDATIONS.—Not earlier than 31 days after submitting to Congress the report required under subsection (a)(4), and not later than December 31, 1996, the Secretary shall carry out the recommendations contained in the report.

(c) NAVAL PETROLEUM RESERVES DEFINED.—For purposes of this section, the term "naval petroleum reserves" has the meaning given that term in section 7420(2) of title 10, United States Code, except that such term does not include Naval Petroleum Reserve Numbered 1.

**FEINSTEIN AMENDMENT NO. 2105**

Mr. NUNN (for Mrs. FEINSTEIN) proposed an amendment to the bill S. 1026, *supra*; as follows:

On page 433, in the table relating to the extension of 1993 project authorizations for the Army National Guard, insert after the item relating to the project at Union Springs, Alabama, the following:

California.	Los Alamitos Armed Forces Reserve Center.	Fuel Facility.	\$1,553,000
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**THURMOND AMENDMENT NO. 2106**

Mr. WARNER (for Mr. THURMOND) proposed an amendment to the bill S. 1026, *supra*; as follows:

Beginning on page 275, strike out line 19 and all that follows through page 277, line 18, and insert in lieu thereof the following:

(a) STUDY REQUIRED.—(1) The Secretary of Defense shall conduct a study to determine the quantitative results (described in subsection (b)) of enactment and exercise of authority for the Secretary of the military department concerned to pay an annuity to the qualified surviving spouse of each member of the Armed Forces who—

(A) died before March 21, 1974, and was entitled to retired or retainer pay on the date of death; or

(B) was a member of a reserve component of the Armed Forces during the period beginning on September 21, 1972, and ending on October 1, 1978, and at the time of his death would have been entitled to retired pay under chapter 67 of title 10, United States Code (as in effect before December 1, 1994), but for the fact that he was under 60 years of age.

(2) A qualified surviving spouse for purposes of paragraph (1) is a surviving spouse who has not remarried and who is not eligible for an annuity under section 4 of Public Law 92-425 (10 U.S.C. 1448 note).

(b) REQUIRED DETERMINATIONS.—By means of the study required under subsection (a), the Secretary shall determine the following matters:

(1) The number of unremarried surviving spouses of deceased members and deceased former members of the Armed Forces referred to in subparagraph (A) of subsection (a)(1) who would be eligible for an annuity under authority described in such subsection.

(2) The number of unremarried surviving spouses of deceased members and deceased former members of reserve components of the Armed Forces referred to in subparagraph (B) of subsection (a)(1) who would be eligible for an annuity under authority described in such subsection.

(3) The number of persons in each group of unremarried former spouses described in paragraphs (1) and (2) who are receiving a widow's insurance benefit or a widower's insurance benefit under title II of the Social Security Act on the basis of employment of a deceased member or deceased former member referred to in subsection (a)(1).

(c) REPORT.—(1) Not later than March 1, 1996, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a report on the results of the study.

(2) The Secretary shall include in the report a recommendation on the amount of the annuity that should be authorized to be paid under any authority described in subsection (a)(1) together with a recommendation on whether the annuity should be adjusted annually to offset increases in the cost of living.

# KYL (AND OTHERS) AMENDMENT NO. 2107

Mr. WARNER (for Mr. KYL, for himself, Mr. ROBB, and Mr. BINGAMAN) proposed an amendment to the bill S. 1026, supra; as follows:

On page 403, between lines 16 and 17, insert the following:

## SEC. 1095. REVIEW OF NATIONAL POLICY ON PROTECTING THE NATIONAL INFORMATION INFRASTRUCTURE AGAINST STRATEGIC ATTACKS.

Not later than 120 days after the date of the enactment of this Act, the President shall submit to Congress a report setting forth the following:

(1) The national policy and architecture governing the plans for establishing procedures, capabilities, systems, and processes necessary to perform indications, warning, and assessment functions regarding strategic attacks by foreign nations, groups, or individuals, or any other entity against the national information infrastructure.

(2) The future of the National Communications System (NCS), which has performed the central role in ensuring national security and emergency preparedness communications for essential United States Government and private sector users, including, specifically, a discussion of—

(A) whether there is a federal interest in expanding or modernizing the National Communications System in light of the changing strategic national security environment and the revolution in information technologies; and

(B) the best use of the National Communications System and the assets and experience it represents as an integral part of a larger national strategy to protect the United States against a strategic attack on the national information infrastructure.

# MCCAIN (AND LIEBERMAN) AMENDMENT NO. 2108

Mr. WARNER (for Mr. MCCAIN, for himself and Mr. LIEBERMAN) proposed an amendment to the bill S. 1026, supra; as follows:

At the appropriate place in the bill, insert the following:

## SEC. —. IRAN AND IRAQ ARMS NONPROLIFERATION.

(a) SANCTIONS AGAINST TRANSFERS OF PERSONS.—Section 1604(a) of the Iran-Iraq Arms Non-Proliferation Act of 1992 (title XVI of Public Law 102-484; 50 U.S.C. 1701 note) is amended by inserting “to acquire chemical, biological, or nuclear weapons or” before “to acquire”.

(b) SANCTIONS AGAINST TRANSFERS OF FOREIGN COUNTRIES.—Section 1605(a) of such Act is amended by inserting “to acquire chemical, biological, or nuclear weapons or” before “to acquire”.

(c) CLARIFICATION OF UNITED STATES ASSISTANCE.—Subparagraph (A) of section 1608(7) of such Act is amended to read as follows:

“(A) any assistance under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), other than urgent humanitarian assistance or medicine;”.

# THURMOND AMENDMENT NO. 2109

Mr. WARNER (for Mr. THURMOND) proposed an amendment to the bill S. 1026, supra; as follows:

On page 468, after line 24, add the following:

## SEC. 2825. FINAL FUNDING FOR DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION.

Section 2902(k) of the Defense Base Closure and Realignment Act of 1990 (part A of title

XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended by adding at the end the following:

“(3)(A) The Secretary may transfer from the account referred to in subparagraph (B) such unobligated funds in that account as may be necessary for the Commission to carry out its duties under this part during October, November, and December 1995. Funds transferred under the preceding sentence shall remain available until December 31, 1995.

“(B) The account referred to in subparagraph (A) is the Department of Defense Base Closure Account established under section 207(a) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).”.

# THE ALASKA NATIVE CLAIMS SETTLEMENT ACT AMENDMENT ACT OF 1995

## STEVENS (AND AKAKA) AMENDMENT NO. 2110

Mr. WARNER (for Mr. STEVENS, for himself, and Mr. AKAKA) proposed an amendment to the bill (H.R. 402) to amend the Alaska Native Claims Settlement Act, and for other purposes; as follows:

At the end of Title I of H.R. 402, add the following new section 110:

## SEC. 110. DEFINITION OF REVENUES.

(a) Section 7(i) of the Alaska Native Claims Settlement Act, Public Law 92-203 (43 U.S.C. 1606(i)), is amended—

(1) by inserting “(1)” after “(i)”;

(2) by adding at the end the following new paragraph:

“(2) For purposes of this subsection, the term “revenues” does not include any benefit received or realized for the use of losses incurred or credits earned by a Regional Corporation.”.

(b) This amendment shall be effective as of the date of enactment of the Alaska Native Claims Settlement Act, Public Law 92-203 (43 U.S.C. 1601, *et seq.*).

# NOTICES OF HEARINGS

## SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on Forests and Public Land Management to review the implementation of Section 2001 of the fiscal year 1995 Emergency Appropriations and Funding Rescissions bill. This is the section that deals with emergency salvage of diseased dead timber on Federal forest lands.

The hearing will take place on Thursday, August 10, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Those who wish to submit written statements for the record should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Mark Rey at (202) 224-2878.

# AUTHORITY FOR COMMITTEES TO MEET

## COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Thursday, August 3, at 9 a.m., in SR-332, to consider the nomination of Ms. Jill Long to be Undersecretary for Rural Economic and Community Development and to be a member of the Board of Directors for the Commodity Credit Corporation.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON THE JUDICIARY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Thursday, August 3, at 10 a.m. in SD-226.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON THE JUDICIARY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, August 3, 1995, at 2 p.m., in SD-226, to hold a hearing on judicial nominees.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SPECIAL COMMITTEE ON AGING

Mr. LOTT. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on Thursday, August 3, at 9:30 a.m. to hold a hearing to discuss Federal oversight of Medicare HMO's.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON DRINKING WATER, FISHERIES AND WILDLIFE

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on Drinking Water, Fisheries and Wildlife be granted permission to conduct a hearing Thursday, August 3, at 9:30 a.m. on reauthorization of the Endangered Species Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent that the Near Eastern and South Asian Affairs Subcommittee of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, August 3, 1995, at 10:00 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent that the Near Eastern and South Asian Affairs Subcommittee